

Tuesday, October 2, 2018

Daily Digest

HIGHLIGHTS

See *Résumé of Congressional Activity*.

Senate

Chamber Action

(Legislative Day of Friday, September 28, 2018)

Routine Proceedings, pages S6417–S6453

Measures Introduced: Five bills and one resolution were introduced, as follows: S. 3536–3540, and S. Res. 665. **Pages S6438–39**

Measures Reported:

Special Report entitled “Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2019”. (S. Rept. No. 115–340)

S. 645, to require the Secretary of Commerce to conduct an assessment and analysis of the effects of broadband deployment and adoption on the economy of the United States, with an amendment in the nature of a substitute. (S. Rept. No. 115–341)

S. 2343, to require the Federal Communications Commission to establish a task force for meeting the connectivity and technology needs of precision agriculture in the United States, with an amendment in the nature of a substitute. (S. Rept. No. 115–342)

S. 1896, to amend section 8331 of title 5, United States Code, and the Fair Labor Standards Act of 1938 to clarify the treatment of availability pay for Federal air marshals and criminal investigators of the Transportation Security Administration, with an amendment in the nature of a substitute. **Page S6438**

House Messages:

Sports Medicine Licensure Clarity Act—Agreement: Senate continued consideration of the amendment of the House of Representatives to the amendment of the Senate to H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State, taking action on the following motions and amendments proposed thereto: **Pages S6417–28, S6428–53**

Pending:

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill. **Pages S6417–28, S6428–53**

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, with McConnell Amendment No. 4026 (to the motion to concur in the amendment of the House to the amendment of the Senate), to change the enactment date. **Pages S6417–28, S6428–53**

McConnell Amendment No. 4027 (to Amendment No. 4026), of a perfecting nature.

Pages S6417–28, S6428–53

A unanimous-consent agreement was reached providing that notwithstanding Rule XXII, all time post-cloture on the House message to accompany the bill be considered expired at 12 noon, on Wednesday, October 3, 2018. **Page S6453**

Kavanaugh Nomination: Senate continued consideration of the nomination of Brett M. Kavanaugh, of Maryland, to be an Associate Justice of the Supreme Court of the United States.

Pages S6417–28, S6428–53

Messages from the House: **Page S6437**

Measures Referred: **Page S6437**

Measures Placed on the Calendar: **Page S6437**

Enrolled Bills Presented: **Page S6437**

Executive Communications: **Pages S6437–38**

Additional Cosponsors: **Page S6439**

Statements on Introduced Bills/Resolutions:
Pages S6439–50

Additional Statements:

Amendments Submitted: **Pages S6451–52**

Authorities for Committees to Meet:
Pages S6452–53

Privileges of the Floor: **Page S6453**

Adjournment: Senate convened at 10 a.m. and recessed at 5:35 p.m., until 10 a.m. on Wednesday, October 3, 2018. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S6453.)

Committee Meetings

(Committees not listed did not meet)

ECONOMIC GROWTH, REGULATORY RELIEF, AND CONSUMER PROTECTION ACT

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine implementation of the Economic Growth, Regulatory Relief, and Consumer Protection Act, including S. 2405, to amend the Federal Deposit Insurance Act to clarify capital requirements for certain acquisition, development, or construction loans, after receiving testimony from Joseph M. Otting, Comptroller of the Currency, Department of the Treasury; Randal K. Quarles, Vice Chairman for Supervision, Board of Governors of the Federal Reserve System; Jelena McWilliams, Chairman, Federal Deposit Insurance Corporation; and J. Mark McWatters, Chairman, National Credit Union Administration.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following business items:

S. 32 and H.R. 857, bills to provide for conservation and enhanced recreation activities in the California Desert Conservation Area, with an amendment in the nature of a substitute;

S. 90, to survey the gradient boundary along the Red River in the States of Oklahoma and Texas;

S. 414, to promote conservation, improve public land management, and provide for sensible development in Pershing County, Nevada;

S. 441, to designate the Organ Mountains and other public land as components of the National Wilderness Preservation System in the State of New Mexico, with an amendment in the nature of a substitute;

S. 569, to amend title 54, United States Code, to provide consistent and reliable authority for, and for the funding of, the Land and Water Conservation Fund to maximize the effectiveness of the Fund for future generations, with an amendment in the nature of a substitute;

S. 685, to authorize the Dry-Redwater Regional Water Authority System and the Musselshell-Judith Rural Water System in the States of Montana and North Dakota, S. 785, to amend the Alaska Native Claims Settlement Act to provide for equitable allotment of land to Alaska Native veterans, with an amendment in the nature of a substitute;

S. 785, to amend the Alaska Native Claims Settlement Act to provide for equitable allotment of land to Alaska Native veterans, with an amendment in the nature of a substitute;

S. 884, to amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, with an amendment in the nature of a substitute;

S. 941, to withdraw certain National Forest System land in the Emigrant Crevice area located in the Custer Gallatin National Forest, Park County, Montana, from the mining and mineral leasing laws of the United States;

S. 1012, to provide for drought preparedness measures in the State of New Mexico, with an amendment in the nature of a substitute;

S. 1149, to amend the Alaska Native Claims Settlement Act to repeal a provision limiting the export of timber harvested from land conveyed to the Kake Tribal Corporation under that Act;

S. 1219, to provide for stability of title to certain land in the State of Louisiana, with an amendment in the nature of a substitute;

S. 1403, to amend the Public Lands Corps Act of 1993 to establish the 21st Century Conservation Service Corps to place youth and veterans in national service positions to conserve, restore, and enhance the great outdoors of the United States, with an amendment in the nature of a substitute;

H.R. 3186, to establish an Every Kid Outdoors program;

S. 1548, to designate certain land administered by the Bureau of Land Management and the Forest Service in the State of Oregon as wilderness and national recreation areas and to make additional wild and scenic river designations in the State of Oregon, with an amendment in the nature of a substitute;

H.R. 3279, to amend the Mineral Leasing Act to provide that extraction of helium from gas produced under a Federal mineral lease shall maintain the lease as if the helium were oil and gas;

S. 1787, to reauthorize the National Geologic Mapping Act of 1992;

H.R. 2156, to provide for the establishment of a national memorial and national monument to commemorate those killed by the collapse of the Saint Francis Dam on March 12, 1928, with an amendment in the nature of a substitute;

S. 2062, to require the Secretary of Agriculture to convey at market value certain National Forest System land in the State of Arizona, with an amendment;

S. 2160, to establish a pilot program under the Chief of the Forest Service may use alternative dispute resolution in lieu of judicial review of certain

projects, with an amendment in the nature of a substitute;

S. 2166, to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2023, to require a report on the implementation of those programs, with an amendment in the nature of a substitute;

S. 2249, to permanently reauthorize the Rio Puerco Management Committee and the Rio Puerco Watershed Management Program, with an amendment in the nature of a substitute;

S. 2290, to improve wildfire management operations and the safety of firefighters and communities with the best available technology, with an amendment in the nature of a substitute;

S. 2297, to direct the Secretary of Agriculture to transfer certain National Forest System land to Custer County, South Dakota, with an amendment;

S. 2560, to authorize the Secretary of the Interior to establish a program to facilitate the transfer to non-Federal ownership of appropriate reclamation projects or facilities, with an amendment in the nature of a substitute;

S. 2809, to establish the San Rafael Swell Western Heritage and Historic Mining National Conservation Area in the State of Utah, to designate wilderness areas in the State, to provide for certain land conveyances, with an amendment in the nature of a substitute;

S. 2831, to redesignate Golden Spike National Historic Site and to establish the Transcontinental Railroad Network, with an amendment in the nature of a substitute;

S. 2870, to authorize the Secretary of the Interior to conduct a special resource study of the site known as "Amache" in the State of Colorado;

S. 2876, to amend the National Trails System Act to provide for the study of the Pike National Historic Trail;

H.R. 4895, to establish the Medgar Evers Home National Monument in the State of Mississippi, with an amendment in the nature of a substitute;

S. 3001 and H.R. 6040, bills to authorize the Secretary of the Interior to convey certain land and facilities of the Central Valley Project, with an amendment in the nature of a substitute;

S. 3172, to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, with an amendment in the nature of a substitute;

H.R. 5979, to establish the Mill Springs Battlefield National Monument in the State of Kentucky as a unit of the National Park System, with an amendment in the nature of a substitute;

S. 3245, to require the Secretary of Agriculture to transfer certain National Forest System land in the State of Texas, with an amendment;

H.R. 5655, to establish the Camp Nelson Heritage National Monument in the State of Kentucky as a unit of the National Park System, with an amendment in the nature of a substitute;

H.R. 132, to authorize the Secretary of the Interior to convey certain land and appurtenances of the Arbuckle Project, Oklahoma, to the Arbuckle Master Conservancy District;

H.R. 1967, to amend the Reclamation Project Act of 1939 to authorize pumped storage hydro-power development utilizing multiple Bureau of Reclamation reservoirs, with an amendment in the nature of a substitute;

H.R. 2075, to adjust the eastern boundary of the Deschutes Canyon-Steelhead Falls and Deschutes Canyon Wilderness Study Areas in the State of Oregon to facilitate fire prevention and response activities to protect private property, with an amendment in the nature of a substitute;

H.R. 2630, to authorize the Secretary of the Interior to convey certain land to La Paz County, Arizona, with an amendment; and

H.R. 4446, to amend the Virgin Islands of the United States Centennial Commission Act to extend the expiration date of the Commission.

NOMINATION

Committee on Finance: Committee concluded a hearing to examine the nomination of Andrew M. Saul, of New York, to be Commissioner of Social Security, after the nominee testified and answered questions in his own behalf.

RELIGIOUS LIBERTY

Committee on the Judiciary: Subcommittee on the Constitution concluded a hearing to examine threats to religious liberty around the world, after receiving testimony from Thomas F. Farr, Religious Freedom Institute, and Amanda Tyler, Baptist Joint Committee for Religious Liberty, both of Washington, D.C.; and Bob Fu, ChinaAid, Midland, Texas.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

TRAFFICKING OF FENTANYL FROM CHINA

United States Senate Caucus on International Narcotics Control: Caucus concluded a hearing to examine combating the trafficking of illegal fentanyl from China, after receiving testimony from Kirsten D. Madison,

Assistant Secretary of State for International Narcotics and Law Enforcement Affairs; Paul E. Knierim, Deputy Chief of Operations, Office of Global Enforcement, Drug Enforcement Administration, Department of Justice; Matthew C. Allen, Assistant Director, Domestic Operations, Homeland Security Investigations, Immigration and Customs Enforcement, Department of Homeland Security; Daniel G. Burke, Senior Operations Manager,

Cybercrime Investigations Unit, Office of Criminal Investigations, Office of Regulatory Affairs, Food and Drug Administration, Department of Health and Human Services; Derek Scissors, American Enterprise Institute, Washington, D.C.; Michael Frunzi, Smiths Detection Inc., Edgewood, Maryland; and Matthew Nice, United Nations International Narcotics Control Board, Vienna, Austria.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 22 public bills, H.R. 7009–7030, and 5 resolutions, H. Res. 1110–1114, were introduced. **Pages H9413–14**

Additional Cosponsors: **Pages H9415–16**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Harris to act as Speaker pro tempore for today. **Page H9411**

Whole Number of the House: The Chair announced to the House that, in light of the resignation of the gentleman from West Virginia, Mr. Jenkins, the whole number of the House is 428. **Page H9411**

Providing for a correction in the enrollment of S. 2553: The Chair laid before the House the concurrent resolution (S. Con. Res. 49) providing for a correction in the enrollment of S. 2553, which was agreed to by unanimous consent. **Page H9412**

Senate Referral: S. 2515 was referred to the Committee on Natural Resources. **Page H9412**

Senate Messages: Messages received from the Senate by the Clerk and subsequently presented to the House today and appear on pages H9411–12.

Quorum Calls—Votes: There were no yea and nay votes, and there were no recorded votes. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 12:35 p.m.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, OCTOBER 3, 2018

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Commerce, Science, and Transportation: to hold hearings to examine implementation of positive train control, 10 a.m., SR–253.

Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security, to hold hearings to examine protecting United States amateur athletes, focusing on examining abuse prevention efforts across the Olympic movement, 2:30 p.m., SR–253.

Committee on Environment and Public Works: Subcommittee on Superfund, Waste Management, and Regulatory Oversight, to hold an oversight hearing to examine the Environmental Protection Agency's implementation of sound and transparent science in regulation, 2:15 p.m., SD–406.

Committee on Health, Education, Labor, and Pensions: Subcommittee on Children and Families, to hold hearings to examine rare diseases, focusing on expediting treatments for patients, 2:30 p.m., SD–430.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the nominations of Steven Dillingham, of Virginia, to be Director of the Census, and Michael Kubayanda, of Ohio, to be a Commissioner of the Postal Regulatory Commission, 10 a.m., SD–342.

Committee on Indian Affairs: business meeting to consider S. 664, to approve the settlement of the water rights claims of the Navajo in Utah, to authorize construction of projects in connection therewith, and H.R. 5317, to repeal section 2141 of the Revised Statutes to remove the prohibition on certain alcohol manufacturing on Indian lands; to be immediately followed by an oversight hearing to examine Government Accountability Office reports relating to broadband internet availability on tribal lands, 2:30 p.m., SD–628.

Committee on Judiciary: Subcommittee on Antitrust, Competition Policy and Consumer Rights, to hold an oversight hearing to examine the enforcement of the anti-trust laws, 2:30 p.m., SD–226.

Committee on Small Business and Entrepreneurship: to hold hearings to examine expanding opportunities for small businesses through the tax code, 2:30 p.m., SR-428A.

Special Committee on Aging: to hold hearings to examine patient-focused care, focusing on a prescription to reduce health care costs, 9:30 a.m., SD-562.

House

No hearings are scheduled.

Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED FIFTEENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 3 through September 30, 2018

	<i>Senate</i>	<i>House</i>	<i>Total</i>
Days in session	144	136	..
Time in session	785 hrs., 08'	582 hrs., 42'	..
Congressional Record:			
Pages of proceedings	6,416	9,409	..
Extensions of Remarks .....	..	1,349	..
Public bills enacted into law	42	109	151
Private bills enacted into law .....	..	1	1
Bills in conference	2	2	..
Measures passed, total	393	655	1,048
Senate bills	82	56	..
House bills	108	477	..
Senate joint resolutions	4	2	..
House joint resolutions .....	..	..	..
Senate concurrent resolutions	9	6	..
House concurrent resolutions	13	16	..
Simple resolutions	177	98	..
Measures reported, total	*262	491	753
Senate bills	165	7	..
House bills	83	422	..
Senate joint resolutions	1	..	..
House joint resolutions .....	..	..	..
Senate concurrent resolutions .....	..	..	..
House concurrent resolutions .....	..	2	..
Simple resolutions	13	60	..
Special reports	12	8	..
Conference reports	3	4	..
Measures pending on calendar	357	136	..
Measures introduced, total	1,585	2,774	4,359
Bills	1,258	2,279	..
Joint resolutions	13	17	..
Concurrent resolutions	18	43	..
Simple resolutions	296	435	..
Quorum calls	1	2	..
Yea-and-nay votes	218	255	..
Recorded votes .....	..	158	..
Bills vetoed .....	..	..	..
Vetoes overridden .....	..	..	..

DISPOSITION OF EXECUTIVE NOMINATIONS

January 3 through September 30, 2018

Civilian nominations, totaling 657 (including 146 nominations carried over from the First Session), disposed of as follows:		
Confirmed		270
Unconfirmed		366
Withdrawn		21
Other Civilian nominations, totaling 1,142 (including 2 nominations carried over from the First Session), disposed of as follows:		
Confirmed		900
Unconfirmed		241
Withdrawn		1
Air Force nominations, totaling 4,734 (including 76 nominations carried over from the First Session), disposed of as follows:		
Confirmed		4,528
Unconfirmed		206
Army nominations, totaling 7,046 (including 12 nominations carried over from the First Session), disposed of as follows:		
Confirmed		7,008
Unconfirmed		38
Navy nominations, totaling 4,412 (including 11 nominations carried over from the First Session), disposed of as follows:		
Confirmed		4,406
Unconfirmed		6
Marine Corps nominations, totaling 1,343, disposed of as follows:		
Confirmed		1,340
Unconfirmed		3
<i>Summary</i>		
Total nominations carried over from the First Session		247
Total nominations received this Session		19,087
Total confirmed		18,452
Total unconfirmed		860
Total withdrawn		22
Total returned to the White House		0

*These figures include all measures reported, even if there was no accompanying report. A total of 141 written reports have been filed in the Senate, 503 reports have been filed in the House.

Next Meeting of the SENATE

10 a.m., Wednesday, October 3

Next Meeting of the HOUSE OF REPRESENTATIVES

9:30 a.m., Friday, October 5

Senate Chamber

Program for Wednesday: Senate will vote on McConnell motion to concur in the amendment of the House to the amendment of the Senate to H.R. 302, Sports Medicine Licensure Clarity Act at 12 noon.

House Chamber

Program for Friday: House will meet in Pro Forma session at 9:30 a.m.

Extensions of Remarks, as inserted in this issue

HOUSE

Bishop, Rob, Utah, E1355
 Buck, Ken, Colo., E1360
 Castor, Kathy, Fla., E1354
 Cheney, Liz, Wyo., E1355
 Courtney, Joe, Conn., E1359
 Eshoo, Anna G., Calif., E1355
 Gohmert, Louie, Tex., E1353, E1354
 Granger, Kay, Tex., E1355
 Jackson Lee, Sheila, Tex., E1356, E1358

Jayapal, Pramila, Wash., E1357, E1358, E1361
 Lowey, Nita M., N.Y., E1355
 Luetkemeyer, Blaine, Mo., E1353
 Maloney, Carolyn B., N.Y., E1358
 Meadows, Mark, N.C., E1354
 Moore, Gwen, Wisc., E1356
 Moulton, Seth, Mass., E1354
 Napolitano, Grace F., Calif., E1354
 Norton, Eleanor Holmes, The District of Columbia, E1359
 Olson, Pete, Tex., E1355, E1357, E1359

Panetta, Jimmy, Calif., E1353
 Roybal-Allard, Lucille, Calif., E1357
 Ryan, Paul D., Wisc., E1353
 Scalise, Steve, La., E1354
 Shuster, Bill, Pa., E1356
 Smith, Christopher H., N.J., E1360
 Valadao, David G., Calif., E1355
 Velázquez, Nydia M., N.Y., E1357, E1359



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